



CANNON BUILDING
861 SILVER LAKE BLVD., SUITE 203
DOVER, DELAWARE 19904-2467

STATE OF DELAWARE
COMMISSION ON ADULT ENTERTAINMENT
ESTABLISHMENTS

TELEPHONE: (302) 744-4500
FAX: (302) 739-2711
WEBSITE: DPR.DELAWARE.GOV
EMAIL: customerservice.dpr@state.de.us

PUBLIC MEETING MINUTES:	Adult Entertainment Commission
MEETING DATE AND TIME:	Thursday, October 30, 2014 at 2:00 p.m.
PLACE:	Cannon Building, 861 Silver Lake Boulevard Conference Room A, Dover, Delaware 19904
MINUTES APPROVED:	July 30, 2015

MEMBERS PRESENT

James Nutter, Chairman
Robb Carter, Public Member
Leonard McCartney, Jr., Public Member
Dr. Horacio Lewis, Public Member

MEMBERS ABSENT

Tiffany Trawick, Public Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Kevin Maloney, Deputy Attorney General
Amanda McAtee, Administrative Specialist II
Gayle MacAfee, Deputy Director

PUBLIC PRESENT

None

CALL TO ORDER

Mr. Nutter called the meeting to order at 2:02 p.m.

REVIEW AND APPROVAL OF MINUTES

MEETING MINUTES – July 31, 2014

After review, Mr. Carter made a motion, seconded by Mr. McCartney, to approve the July 31, 2014 minutes as presented. The motion unanimously carried.

UNFINISHED BUSINESS

Continued

Mr. Nutter stated that at the July 31, 2014 meeting Willis Duckery had questioned the Commission about the process of background check reviews on independent contractor entertainers and questioned if a copy could be sent to him for review. Mr. Maloney stated that he had reviewed the statute and read from sections 8502 and 8513:

§ 8502 Definitions.

(8) "Dissemination" shall mean the transmission of criminal history record information, or the confirmation of the existence or nonexistence of such information. The term shall not include:

- a. Internal use of information by an officer or employee of the agency which maintains such information;
- b. Transmission of information to the State Bureau of Identification;
- c. Transmission of information to another criminal justice agency in order to permit the initiation of subsequent criminal justice proceedings;
- d. Transmission of information in response to inquiries from criminal justice agencies via authorized system terminals, which agencies provide and/or maintain the information through those terminals.

§ 8513 Dissemination of criminal history record information.

(d) Dissemination of criminal history record information by any person or agency other than the Bureau or its designee is prohibited. This provision shall not prohibit dissemination by any criminal justice agency in those cases in which time is of the essence and the Bureau is technologically incapable of responding within the necessary time period. Under such circumstances the foregoing rules concerning dissemination are to be adhered to.

Mr. Maloney stated that if Mr. Duckery wished to review criminal background checks then it would be an employer/employee issue. Mr. Nutter stated that Mr. Duckery would have to arrange for his own background checks because the law prohibited the Commission from sharing criminal history information.

NEW BUSINESS

Meeting Dates for 2015

Ms. McAtee stated that she had emailed the Commission members the meeting dates for 2015. Ms. McAtee stated that the Commission would meet at 2:00 p.m. on January 29, 2015, April 30, 2015, July 30, 2015, and October 29, 2015.

COMPLAINT UPDATES

None

OTHER BUSINESS BEFORE THE COMMISSION (for discussion only)

Ms. McAtee stated that Ms. MacAfee was present at the meeting to discuss the annual Director's Legislative Memo. Ms. MacAfee introduced herself to the Commission and explained that the Division's Director sent out a memo each year prior to the next legislative session so that all Boards and Commissions could submit their proposed legislation for Division review prior to the next legislative session. Ms. MacAfee questioned if any Commission members would be available if any questions came up during the next legislative session. Mr. Carter and Mr. Nutter stated that they were both at Legislative Hall on a regular basis during legislative sessions. Mr. Nutter stated that the Commission did not have any bills for consideration.

PUBLIC COMMENT

None

NEXT SCHEDULED MEETING

The next meeting will be held on January 29, 2015 at 2:00 p.m. in second-floor Conference Room A of the Cannon Building located at 861 Silver Lake Boulevard in Dover.

ADJOURNMENT

There being no further business, Mr. Carter made a motion, seconded by Mr. McCartney, to adjourn the meeting at 2:25 p.m. The motion unanimously carried.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'A McAtee', with a stylized flourish at the end.

Amanda McAtee
Administrative Specialist II

The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Commission members and the public in supplementing their personal notes and recall for presentations.